1 Royal F. Oakes (080480), roakes@barwol.com Michael A. S. Newman (205299), newman@barwol.com BARGER & WOLEN LLP 2 633 West Fifth Street, 47th Floor Los Angeles, California 90071 3 Telephone: (213) 680-2800 Facsimile: (213) 614-7399 4 5 6 Attorneys for Defendants Lincoln National Life Insurance Company and 7 Metropolitan Life Insurance Company 8 9 UNITED STATES DISTRICT COURT 10 NORTHERN DISTRICT OF CALIFORNIA 11 SAN FRANCISCO DIVISION 12 13 DOCTOR CHRIS AMORE, CASE NO.: C 07-00276 JSW 14 Plaintiff, Honorable Jeffrey S. White 15 STIPULATION RE DISMISSAL; VS. (PROPOSED) ORDER 16 LINCOLN NATIONAL LIFE INSURANCE COMPANY, METROPOLITAN LIFE 17 INSURANCE COMPANY, and DOES 1 through 10,, 18 Defendants. 19 20 21 22 23 24 25 26 27 28

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STIPULATION

IT IS HEREBY STIPULATED by and between Plaintiff Chris Amore and Defendants Metropolitan Life Insurance Company and Lincoln National Life Insurance Company, by and through their respective attorneys of record, that the above-referenced action be, and is hereby, dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1). The parties further stipulate that each party shall bear his or its own costs, including attorneys' fees.

Dated: February 7, 2008

Dated: February 7, 2008

IRA A. FREYDKIS, ESQ.

By:

IRA A. FREYDKIS

Attorneys for Plaintiff Doctor Chris

Amore

BARGER & WOLEN LLP

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ROYAL F. OAKES

MICHAEL A. S. NEWMAN

Anomeys for Defendants Metropolitan Life Insurance Company and Lincoln National Life Insurance Company

ORDER OF DISMISSAL The parties, by and through their attorneys of record, have stipulated to a dismissal of the entire action, as to each and every defendant, with prejudice. IT IS HEREBY ORDERED that this action be dismissed with prejudice, in its entirety, pursuant to the stipulation of the parties and pursuant to Federal Rule of Civil Procedure 41(a)(1). Each party shall bear his or its own costs and attorneys' fees. DATED: February 21, 2008